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COMPREHENSIVE TEST BAN TREATY (CTBT)

Ambassador Jaap RAMAKER, Chairman of the recently completed Comprehensive Test-Ban Treaty (CTBT) negotiations and the Permanent Representative of the Kingdom of Netherlands to the Conference on Disarmament, discusses the different aspects of the negotiations that led to the conclusion of the Treaty. Forty-four countries must ratify it before it enters into force; a number of countries still oppose it. Although the public and many countries expect the Treaty to provide for a total ban on all nuclear tests and explosions once ratified, those countries who are not signatories are not obliged to abide by it. India, one of the opposing countries, says that in its present shape the Treaty is a "time-bomb framework". Amb. Ramaker believes that pressure will be put on countries to sign the Treaty.

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ANNOUNCER: From United Nations Headquarters in New York, this is **World Chronicle**, an unedited interview programme about major global issues. Here now to introduce our guest is the host of today's **World Chronicle**.

LITTLEJOHNS: I'm Michael Littlejohns, and this is **World Chronicle**.

The United Nations General Assembly, by a vote of 158 to 3, recently adopted the Comprehensive Test Ban Treaty and opened it for signatures. A number of countries have already signed it. The Treaty requires all States parties to the Treaty to stop all nuclear tests and explosions—underground, in the ocean, and in the atmosphere. How was this Treaty negotiated? And will it put and end to all nuclear tests once and for all?

Our guest today, Ambassador Jaap Ramaker, chaired the negotiations that led to the conclusion of the Treaty. Ambassador Ramaker is also the Permanent Representative of the Kingdom of the Netherlands to the Conference on Disarmament in Geneva. Joining me to talk with Ambassador Ramaker are Anthony Goodman of Reuters and Bhaskar Menon of the *International Documents Review*.

Ambassador Ramaker, welcome to World Chronicle.

Mr. Ambassador, the Treaty at one point seemed to be on the verge of collapse because of the opposition of India, one of the countries which is suspected of having nuclear capability. Thanks to a bold initiative by Australia, implemented by Ambassador Richard Butler here in the UN, the General Assembly rescued the Treaty, so to speak, and it was adopted by this very large majority, as we just pointed out in the introduction. But since then, and in fact during the debate which led to the adoption of the Treaty by the General Assembly, there were several charges that it was a flawed document. On this programme, **World Chronicle**, the President of the new session of the General Assembly, Ambassador Razali Ismail of Malaysia, actually made the same charge. What is your response to those criticisms?

RAMAKER: Well, first, of course, I would first like to see the flaws identified, which is not for me. I have listened to the present President of the General Assembly when he was not yet the President, when he was talking in the General Assembly, in the 50th General Assembly, and he had a number of objections to the Treaty, which I have to recall, but I probably can, but he also said, "Well, of course, we will sign this Treaty, we can accept it". And why is it that despite the fact that so many have—or a number of delegations have objections to the Treaty, they nevertheless said, "But we can accept it", and as you pointed out, the Treaty was adopted here in the General Assembly with really an overwhelming majority? But the reason is that I think countries all over the world and their public opinion expected this Treaty to come about and to put an end to nuclear test explosions. I think that one of the objections that is being made to the Treaty is that it does not put an end to

what is called nuclear testing, but only to nuclear test explosions. Well, that is a subtlety, I think, for public opinion in the world, and I think that public opinion in the world is grateful that an end has come to test explosions – the last one, as you know, conducted by China. But we had a series of renewed test explosions by France starting roughly a year ago, where it became quite clear that the world, if I may say so, sees this type of nuclear testing as something of the past.

LITTLEJOHNS: But future testing would be done by computer, I take it. Is that the – in other words, the –

RAMAKER: Well, I think one has to make a couple of distinctions, and I might as well do this right away. What nuclear test explosions and nuclear testing is about is basically three things. The first, there is a continuous check necessary on the safety of nuclear weapons; and, secondly, on the reliability – and here of course this is all in the realm of the existing nuclear weapon States; and thirdly, nuclear testing, nuclear test explosions deal with modernization and, as you know, with efforts to, for instance, even to have totally new types of nuclear weapons. And what we see here is that this Treaty – and I think this is not generally accepted – I think that India sees this as one of the flaws of the Treaty. But the scientific community in general maintains that this Treaty, a Treaty banning the bang, as it is sometimes very briefly said, puts an end to the modernization of existing types of nuclear weapons and certainly also an end to what is called advanced new types of nuclear weapons. One cannot see – and this is the scientific community and also the military – that without actual testing, and we are talking here about, as cynical as it may sound –

LITTLEJOHNS: Even simulated tests by computer are not sufficient?

RAMAKER: Computer tests don't do the trick as – well, I'm not a scientist, but that is the *communis opinio*, as it is called, of the scientific community. So I think the importance of this Treaty lies in this, that it put an end – and that is widely recognized – an end to the qualitative improvement and the qualitative development of new types of nuclear weapons.

MENON: But is that really true? I mean, when you say it's widely acknowledged, I've read more than one – from more than one source that sub-critical testing and computer simulations can in fact and actually are being used to develop new weapons.

RAMAKER: Well, maybe several sources, but not very many sources, I think. As far as I understand, that is not the case. We should first of all realize that military don't like to use untested weapons. That is one element in it. But secondly, really – and this also goes for anything that in the old discussion we had whether or not it should be zero yield or not zero yield – there is not very much military benefit to draw from things around zero. But it will be zero, by the way. So I don't think so. The weapons, what simulation can do – and in most cases it's also being developed – is checks on all the mechanics of these devices. But all

of these discussions have to do with something else, and this is basically the nature of the negotiations. Was this really a negotiation about an end to nuclear test explosions, or were these negotiations a means to nuclear disarmament? Because there is the old theory, if I may say, which would have worked before the technological advances of computers and all of this, that if you would do away with all testing, whatever kind of testing, also the safety and reliability would be put into question, and nuclear weapon arsenals would be, as it were – what do you say? – atrophied, asphyxiated. But of course that is, under the present circumstances, not the case.

GOODMAN: In the age – talking of computers – in the age of cyberspace, would it be fair to say that this is going to be a virtual Treaty in as much as its purposes may eventually be carried out – i.e., halting all tests – but the Treaty itself will never come into force because the 44 countries whose ratification is required will almost certainly not all sign up?

RAMAKER: Well, the question of the entry into force of the Treaty has been extremely important in these negotiations. And I myself have devoted a lot of time and attention to it, and as those who have participated in the negotiations realize, I have almost overstepped the boundaries of my chairmanship, which I felt should be strictly, strictly neutral, and I should not take any positions of my own, when it came to entering into force. And there were a number of reasons for that. First of all, I did realize the danger that this Treaty would never enter into force, or only in a very late stage, and therefore I felt – and it had something to do that – well, with my own name being attached to this Treaty, that I wouldn't like – at least I would – if I at all could help trying to prevent that this Treaty, when it came to entering into force, would run into the so-called "hostage problem", which is that because it would number in an article of the Treaty – [because it] named in an article of the Treaty a number of States by name, by the same token, it would give to each of these States –

GOODMAN: A veto.

RAMAKER: – the veto to make this Treaty [not] enter into force. But as you know, there were strong objections to formulas that would avoid that problem. The British, the Russians, the Chinese and the Pakistanis all made it very clear to the conference and to me that a treaty which would have any other formula of entering into force that would avoid that risk of hostage-taking would not be acceptable to them, would not be interesting for them. And they have different reasons for that, and it goes a little bit far now to go into that. But my point is that I think it is a problem. I have not given up the hope, by the way, that the Treaty would enter into force, but because we all very much are hypnotized by the

present political situation – and then especially one thinks of India, but tomorrow it could be another country as well –

GOODMAN: But it will have its effect, won't it? I mean, even if it doesn't enter into force officially, all those who sign it will be bound not to conduct tests, is that correct?

RAMAKER: Well, that is true. There is, first of all, the law of the treaties as such, which tells those who sign a treaty not to engage in any act that would run counter to the object and purposes of the treaty. So that is important. And I also think that in general this Treaty strengthens a norm that already exists in the minds of people. And as I once said – the French by now know this, I mean, they have – you all remember this violent reaction of public opinion, especially in the Pacific – and it is a token of the fact that people simply cannot understand any more that Governments would engage in this type of testing.

LITTLEJOHNS: Ambassador, what about monitoring the observance of the Treaty? What is the procedure for that?

RAMAKER: I think that this is almost a follow-up question to your question, Anthony, because I think that it is important to realize that, as long as this Treaty does not enter into force, parts of the verification system – of the system of checking whether the Treaty is going to be carried out or not, is going to be respected or not – will not start functioning.

GOODMAN: The organization which has to be set up.

RAMAKER: The organization will be put in place; there is, as you may know, a prepcom under way –

LITTLEJOHNS: Preparatory committee.

RAMAKER: The preparatory committee. I'm sorry for the technical term, but –

LITTLEJOHNS: No, that's all right.

RAMAKER: – actually it's such a difficult word for the non-English speaking. But there's a preparatory committee under way, and they are the nucleus, they will create a nucleus for a secretariat, an organization will come into place, in Vienna, as you know –

GOODMAN: Even before ratification?

RAMAKER: Before ratification. Because the Treaty stipulates that at the moment of entering into force – and as you know that is after so many States have ratified – the Treaty must be operational. And therefore you have to make preparations.

GOODMAN: But the organization won't come into force, will it?

RAMAKER: Well, organizations are there, they do not come into force.

LITTLEJOHNS: This is **World Chronicle**. Our guest is Ambassador Jaap Ramaker, Chairman of the Comprehensive Test Ban Treaty negotiations.

MENON: Can I take you back one step into the negotiating process? I understand that it happened at two levels: That at one level was the, as it were, hoi polloi, the non-nuclear weapon States, and at the other level were the five nuclear weapon States, and that the negotiations among the nuclear weapon States essentially had to do with what they would be able to do after the Treaty came into force. And this was a very opaque process, completely – the information about it was not available to the rest of humanity. But the negotiations with the non-nuclear weapon States were fairly transparent, but not that transparent. Is this in fact true?

RAMAKER: Not entirely. I think that the Treaty text has been negotiated not by five nuclear weapon States on the one hand and hoi polloi, the people, on the other side; this Treaty has been negotiated by all of these – the 37, later on 61 Member States of the Conference on Disarmament and observers. And one of the things that this Treaty does is diminish an objection that exists with regard to the Non-Proliferation Treaty, namely, that there would be different obligations for different categories of States. Actually, this Treaty, to the extent that it prohibits the test explosions, as it does, applies to each and every State. And therefore it, as it were, lessens the inherent discrimination that one feels exists in the regime created by the Non-Proliferation Treaty. Now, the connection between the two is interesting, between the two treaties – because the Non-Proliferation Treaty, as you know, obliges the parties to the Treaty not to acquire nuclear weapons, but with the exception, of course, of those five who at the time of the signature of that Treaty already had them – namely, France, the United Kingdom, the United States, then, at that time, the Soviet Union, and China. So there was this difference, and you know the whole trade-off.

Now, in this Treaty, it's interesting, for those who could still legally test – and there were basically two categories there, namely the five nuclear weapon States, because they were not under the obligation not to acquire nuclear weapons under the Non-Proliferation Treaty, and those who were not party to the Non-Proliferation Treaty, those who were and still are not party to the Non-Proliferation Treaty – about six or seven countries. Of those six or seven countries, three have nuclear activities going on which are not safeguarded, are not entirely safeguarded by the International Atomic Energy Agency in Vienna, and those are Israel, India and Pakistan....

MENON: Before we lose our audience, because I think the technical detail is too much, the Treaty does provide for peaceful nuclear explosions at a later stage if the States so decide. And I understand that this was because China pushed for it very strongly, and in fact made it a condition that unless peaceful nuclear explosions were allowed, some provision was made to cover that, that they would not be party to it. How realistic do you think it is, looking into the future, to see peaceful nuclear explosions?

RAMAKER: Well, I think that – freed from my role as a chair, I think not very realistic. The Chinese point of view in the negotiations has been roughly the following: They felt that this was going to be a treaty of indefinite duration, that had been agreed; it would be permanent, unlike the NPT was at a certain stage, the Non-Proliferation Treaty; so if that were to be the case, they said, one should not rule out forever also that a nuclear explosion could use peaceful purposes. So that was their point of view. But they also realized – and more towards the end of the negotiations than in the beginning, to put it euphemistically – that there were serious problems with that point of view. First of all, it's very well known that peaceful nuclear explosions cannot be distinguished in their real practical effect from nuclear explosions for military purposes. You wouldn't like to be sitting next to a peaceful nuclear explosion, it would have the same effect, so to speak.

GOODMAN: Although India's 1974 explosion was billed as peaceful.

RAMAKER: Well, that's another thing. You make this – you conduct this explosion, and your intentions have then to be believed by the rest of the world. That goes for China as well as – for anyone who would label an explosion peaceful.

GOODMAN: Well, if they wanted to break – suppose the idea was to do something with a mountain, and they wanted to use nuclear power to blast a mountain, and they invited everybody to have a look. I suppose that would be all right, wouldn't it?

RAMAKER: I'm afraid not.

LITTLEJOHNS: What about the nuclear fallout from it?

RAMAKER: Well, here yyou come to all of these problems because – who was going to be able to do that? One of those who has the technology – so, once again, one of the five nuclear weapon States. So if that mountain were to be in the Andes, you really should at least have an international regime. I'm now really brainstorming far ahead in the future. But the point, to come back to your question, is that the Chinese have recognized all of these problems, and the provisions in the Treaty are such that it will be very difficult to be able to do that, and "very difficult" is one of those diplomatic euphemisms, if I may say so, because it needs consensus of all parties to the Treaty.

MENON: Looking into the future as you just did, where do you see the pressure as being? Is the pressure going to be on the nuclear weapon States to disarm, as the rest of the membership of the international community wants, or is it going to be on India to join the Treaty? Where is the pressure going to be?

LITTLEJOHNS: What about the Democratic People's Republic of Korea? They probably are not going to be signing anytime soon.

MENON: Well, there are a couple of countries, a few countries that might not sign. But India has taken a position in opposition to the Treaty, and the speculation has been that

there would be pressure on India. But if you look at the general debate in the Assembly, in the General Assembly of the United Nations, there is not a single mention of India, but there is repeated mention of the fact that this is a disarmament measure, the first step in total nuclear – in the total elimination of nuclear weapons. So how do you see – will the Treaty in fact be amended to put in a time-bound framework, as India wants, for disarmament?

RAMAKER: Well, a number of things. First of all, if you say where will the pressure be applied, I think both. I do agree with you that there is a pressure on the nuclear weapon States, and I should say they're allies. I mean, let us be honest. For instance, I come from a country that is a NATO ally, and therefore we share a defence doctrine which has that. We still have some role for nuclear weapons, to put it that way. So the pressure will be on nuclear weapons. But I think there will also be pressure, but – well, we had long discussions about the nature of the pressure, but I think it will be very peaceful pressure – as I said also in my report, it's part of the negotiating history. There will of course be pressure on India, because I suppose one will try and convince India that the cause of nuclear disarmament is better served with an end to this type of nuclear explosion. It is at least something even if it is not the entire – even if it doesn't fully satisfy the desires of some. Now, this time-bound framework is a very difficult subject. Let us first of all say that yes, this was put forward by India in the negotiations –

MENON: Oh, by the Non-Aligned, not just India.

RAMAKER: I'm afraid that that is only partly so. The proposals came from India. There was sympathy on the part of the Non-Aligned, but as I always said, the Non-Aligned were not willing to –

MENON: It's a formal proposal by 28 countries in the final weeks of the negotiations.

RAMAKER: Not in the connection with the test ban negotiations. And that is precisely where the difference is. India made the proposals in the context of the negotiations, and in fact made entering into force, in their proposal, dependent of the Treaty, dependent on the commitment of the nuclear weapon States. Now, let me just – I think it's important to realize that. The Non-Aligned, many Non-Aligned sympathize with this idea of a time-bound framework, but nevertheless were not willing, as they have been proving now with their vote, for instance, to sacrifice this Treaty to that idea. And that was where India and the other Non-Aligned split away, where they went each their own way.

MENON: Well, I don't know if it was split, because when you say there was this tremendous support, there was a joke in the Assembly before the vote was held that all these

ambassadors were walking around with corkscrews for their hands because they had been subjected to such intense pressure. So, it's not a –

RAMAKER: That was a joke by Ambassador Ghose, I remember that. She said you will all have this twisted arm when you come back –

LITTLEJOHNS: The Indian Ambassador.

RAMAKER: Yes, yes, in Geneva, with whom of course I worked a great deal. I think that – you know, of course, I'm a little bit suspect as a chairman, it's a little bit my baby, but I think that this Treaty should be seen as a step in a process, and without this step I'm afraid the process of nuclear disarmament would be much more difficult than with this step.

GOODMAN: Ambassador, the baby, as you recall it, had a rather strange birth. It was negotiated in the Committee on Disarmament, didn't get approval there, came to the Assembly. Has that ever happened before?

RAMAKER: The answer is yes and no. The idea is that the treaties being negotiated in the Conference on Disarmament anyhow go to the General Assembly, because they are multilateral disarmament treaties, and the Secretary-General is the depository.

LITTLEJOHNS: Ambassador Ramaker, that's all the time we have, yes or no. Thank you for being with us on this edition of **World Chronicle**.

Our guest has been Ambassador Jaap Ramaker, former Chairman of the Comprehensive Test Ban Treaty negotiations. He was interviewed by Anthony Goodman of Reuters and Bhaskar Menon of the International Documents Review.

I'm Michael Littlejohns. Thank you for joining us. We invite you to be with us for the next edition of **World Chronicle**.

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